

MINUTES
MANSFIELD PLANNING AND ZONING COMMISSION
Regular Meeting
Monday, July 18, 2011
Council Chamber, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), M. Beal, J. Goodwin, R. Hall, K. Holt, G. Lewis, P. Plante, B. Ryan
Members absent: B. Pociask
Alternates present: K. Rawn, V. Ward
Alternates absent: F. Loxsom
Staff Present: Linda M. Painter, Director of Planning and Development

Chairman Favretti called the meeting to order at 7:13 p.m. He appointed alternate Rawn to act in Pociask's absence.

Favretti MOVED, Holt seconded, to add to the Agenda as Old Business Item #5: The 4-Lot Subdivision Application, (3 New Lots) Wormwood Hill & Gurleyville Roads, S. Plimpton o/a, PZC File #1298. MOTION PASSED UNANIMOUSLY.

Minutes:

07-05-11- Plante MOVED, Rawn seconded, to approve the 7/5/11 minutes as written. MOTION PASSED UNANIMOUSLY. Hall, Goodwin and Ryan noted that they had listened to the recording of the meeting.

Zoning Agent's Report:

Noted.

Old Business:

1. **Zoning Permit Application for Storrs Center -Post Office Road, PZC File #1246-9**
Linda Painter, Director of Planning and Development, provided a verbal update on the status of the Zoning Permit Application for the Storrs Center Post Office Road. She noted that the main concern raised at the Downtown Partnership Public Hearing held on July 12th was for lighting and landscape screening of the Post Office parking lots along proposed Village Street and near the Courtyard at Storrs Condominiums. Chairman Favretti's letter and concerns were noted at the public hearing and will be taken into consideration when she writes her memo to Curt Hirsch, Zoning Agent, which will be copied to the Commission.
2. **Special Permit Application for proposed office building, North Frontage Road, K. Tubridy owner, United Services applicant, PZC File #1302**
Item tabled pending an 8/1/11 Public Hearing.
3. **Approval Request: Revised Plans for exhibit building Paideia Greek Theater Project, 28 Dog Lane, File #1049-7**
Tabled-awaiting information from the applicant.
4. **Request to stop collecting bond escrow funds for Freedom Green Phase 4C, PZC File # 636-4**
Tabled-awaiting information from the applicant.

New Business:

1. **New Special Permit Application for wedding venue, 552 Bassetts Bridge Road, J. & J. Bell o/a, PZC File #1217-2**
Holt MOVED, Ryan seconded, to receive Special Permit application (file # 1217-2) submitted by James and Jean Bell for a proposed wedding venue-accessory to the existing garden center, on property located at 552 Bassetts Bridge Road, owned by the applicant, as shown on plans dated 11/19/10 as revised to 5/14/11 as shown and described in application submissions, and to refer said application to staff and committees for review and comments and to set a Public Hearing for 9/6/11. MOTION PASSED UNANIMOUSLY.

2. **New Special Permit Application, convenience store and gas station, 643 Middle Tpk/1660 Storrs Rd, Cumberland Farms Inc., applicant, PZC File #1303**

Holt MOVED, Ryan seconded, to receive Special Permit application (file # 1303) submitted by Cumberland Farms Inc. for a convenience store and gas filling station on property located at 643 Middle Turnpike and 1660 Storrs Road, as shown on plans dated 7/11/11 as shown and described in application submissions, and to refer said application to staff and committees, for review and comments and to set a Public Hearing for 9/6/11. MOTION PASSED UNANIMOUSLY.

3. **New Subdivision Application, Fern Road, PZC File #1304**

Holt MOVED, Ryan seconded, to receive a re-subdivision application (file # 1304) submitted by Youssef and Ann Kouatly for a 1-lot re-subdivision on property located at 98 Fern Road as shown on plans dated 7/12/11 as shown and described in application submissions, and to refer said application to staff and committees, for review and comments and to set a Public Hearing for 9/6/11. MOTION PASSED UNANIMOUSLY.

Continued Public Hearing:

4-Lot Subdivision Application, (3 New Lots) Wormwood Hill & Gurleyville Roads, S. Plimpton o/a, PZC File #1298

Chairman Favretti opened the continued Public Hearing at 7:20 p.m. Members present were Favretti, Beal, Goodwin, Hall, Holt, Lewis, Plante, Ryan and alternates Rawn and Ward. Rawn was appointed to act in Pociask's absence. Painter noted in addition to revised plans dated 7/12/11 and an undated vernal pool and conservation easement wording, the following communications were received and distributed to the Commission: a 7/12/11 report from the Wetlands Agent/Assistant Town Engineer; and a 7/13/11 report from Linda M. Painter, Director of Planning and Development.

Douglas Bonoff, land surveyor, and Paul Biscuti, engineer, were present representing the applicant.

Paul Biscuti reviewed the changes made to the 7/12/11 plans based on comments and recommendations from the staff, Commission and the public. He also referenced the conservation easement wording and the wording to be noted on the final plans to protect the vernal pool. He noted that he has no problems with issues raised in Meitzler's memo and agreed to install a "CB" catch basin top.

Members asked questions regarding: stonewall preservation, and road revisions.

Mr. Gottman, 580 Gurleyville Road, stated that he and Mr. Plimpton walked the Gurleyville Road driveway (serving Lots 2 & 3) to discuss the revision proposed on the 7/12/11 plans. He told the Commission that he and his wife are happy with the change which addresses their concerns.

Chairman Favretti noted no further comments or questions from the public or Commission. Plante MOVED, Beal seconded, to close the Public Hearing at 7:44 p.m. MOTION PASSED UNANIMOUSLY.

Public Hearing:

Special Permit, Restaurant Use, 82-86 Storrs Rd, College Mart o/a, PZC File #483-5

Chairman Favretti opened the Public Hearing at 7:44 p.m. Members present were Favretti, Beal, Goodwin, Hall, Holt, Lewis, Plante, Ryan and alternates Rawn and Ward. Rawn was appointed to act in Pociask's absence. Painter read the legal notice as it appeared in The Chronicle on 7/5/11 and 7/13/11, and noted a 7/13/11 memo from J. Jackman, Fire Marshal; and a 7/13/11 memo from L. Painter, Director of Planning and Development.

Painter stated that the office failed to notify the Town of Windham as an abutter within 500 feet to this property. Therefore the Commission will need to continue the hearing until the August 1st meeting in order to allow Windham sufficient time for review and comment. She added that the applicants are aware of this delay and are planning to give their presentation at the August 1st meeting.

Chairman Favretti noted no comments or questions from the public or Commission. Plante MOVED, Holt seconded, to continue the Public Hearing until August 1, 2011. MOTION PASSED UNANIMOUSLY.

New Business Continued:**4. Modification Request, Communications Antenna, New Cingular Wireless, 2 N. Eagleville Rd, PZC File #1224**

Peter Fales, agent for New Cingular Wireless, described the modification request to install additional antennas within the steeple at the Storrs Congregational Church, adding that no part of this proposal will be visible from outside the steeple. Pamela Roberts, Chairman of the Storrs Congregational Church Council, stated that after extensive research and discussion, they are in favor of this proposal. She also stated that this installation will not affect the operation and sound of the carillon housed in the steeple. Favretti noted no questions from the public or Commission.

Hall MOVED, Plante seconded, that the PZC Chairman and Zoning Agent be authorized to approve the modification request of New Cingular Wireless PCS, LLC to install telecommunication antennas and equipment at the Storrs Congregational Church property, 2 North Eagleville Road, as described in a 7/5/11 application and other submissions. This authorization is subject to incorporation of the three recommendations contained in a 6/29/04 letter from the Deputy State Historic Preservation Officer. This authorization is further subject to an inspection by the PZC Chairman and the Zoning Agent after completion of the installation, with the applicant willing to make whatever accommodations may be necessary to fulfill the intent of the application that there will be no signs of the antennas within the tower visible from the street. MOTION PASSED UNANIMOUSLY.

Old Business Continued (added to the Agenda):**5. 4-Lot Subdivision Application, (3 New Lots) Wormwood Hill & Gurleyville Roads, S. Plimpton o/a, PZC File #1298**

Chairman Favretti opened the floor for discussion among members. Several concerns raised in Painter's report were discussed, along with the recommendation in Meitzler's report for "CB" catch basin tops. The consensus of the Commission was these items could be addressed as conditions in a motion. Plante volunteered to work with staff on a motion for the next meeting.

Reports from Officers and Committees:

None noted.

Communications:

Noted. Plante requested that staff follow up with the DEP regarding a final study reporting the findings from the remediation that was done in southern Mansfield on Route 195 at the former Mobil Gas Station.

Executive Session:

Favretti MOVED, Hall seconded, at 8:12 p.m. to enter into Executive Session to discuss the pending court case of Bruce and Franca Hussey vs. Town of Mansfield Planning and Zoning Commission. MOTION PASSED UNANIMOUSLY. Members present were Plante, Beal, Hall, Goodwin, Favretti, Holt, Ryan, Lewis and alternates Ward and Rawn. Also present were Dennis O'Brien, Town Attorney and Linda Painter, Director of Planning and Development.

Plante MOVED, Beal seconded, at 9:01 p.m. to end the Executive Session. MOTION PASSED UNANIMOUSLY.

Adjournment:

Chairman Favretti declared the meeting adjourned at 9:02 p.m.

Respectfully submitted,

Katherine Holt, Secretary